Course Information

Division Social Sciences
Course Number AJS 220
Title Procedural Criminal Law
Credits 3
Developed by Kris Matthews
Lecture/Lab Ratio 3 Lecture/0 Lab
Transfer Status

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Activity Course No
CIP Code 43.0107
Assessment Mode Pre/Post Test (50 Questions/50 Points)
Semester Taught Fall and Spring
GE Category None
Separate Lab No
Awareness Course No
Intensive Writing Course No

Prerequisites None

Educational Value
An excellent course for both freshmen and sophomores. Emphasis will be placed on the court systems and procedural law versus substantive law. Learners will be exposed to due process and constitutional law concepts.

Description
This course examines the court system and procedures from arrest to final disposition with special attention given to the appellate and Supreme Court decisions, due process of law, and Constitutional Law. Current and recent developments relating to arrest, searches, and seizures; constitutional rights predominately associated with the Fourth, Fifth, Sixth, and Fourteenth Amendments as related to criminal justice and its administration-warrants, warrantless seizures, exclusionary rule, confessions, eye-witness identification, electronic surveillance, entrapment, and state variance with federal rules.

Supplies
Access to a personal computer and Internet.
Competencies and Performance Standards

1. Assess the rules and guidelines of the Justice System.

   Learning objectives
   What you will learn as you master the competency:
   a. Identify, assess, and articulate rights relevant to criminal procedure.
   b. Explain the arguments for and against the exclusionary rule.
   c. Identify several sources of rights.
   d. Identify how cases arrive at the U.S. Supreme Court.
   e. Identify Key Supreme Court Cases.
   f. Discuss key issues regarding compulsion.
   g. Analyze key issues related to confessions and identifications.

   Performance Standards
   Competence will be demonstrated:
   o by completion of online quizzes and exams
   o by completion of Internet assignments
   o by participation of in-class and small group discussions
   o by completion of assigned activities
   o by an in-class comprehensive final exam

   Criteria - Performance will be satisfactory when:
   o learner discusses rights related to criminal procedure
   o learner explains exclusionary rules and its relationship with procedural process
   o learner explains how cases arrive at the U.S. Supreme Court
   o learner discusses the ruling related to Supreme Court Cases and its relations to criminal procedures
   o learner explains issues related to confessions and identifications

2. Analyze the Fourth Amendment and its applicability to the Justice Process.

   Learning objectives
   What you will learn as you master the competency:
   a. Define Fourth Amendment terminology, including persons, houses, papers, and effects.
   b. Define “reasonable expectation of privacy.”
   c. Describe the situations where arrest warrants are required.
   d. List various exceptions to the Fourth Amendment’s warrant requirement.
   e. Explain the search incident to arrest exception and its requirements.
   f. Explain the exigent circumstances exception.
   g. Define reasonable suspicion.
   h. Explore race applicability to reasonability.

   Performance Standards
   Competence will be demonstrated:
   o by completion of online quizzes and exams
   o by completion of Internet assignments
   o by participation of in-class and small group discussions
3. Discuss the trial procedure.

**Learning objectives**

*What you will learn as you master the competency:*

a. Describe the Pre-trial Process.
b. Describe the role of the Prosecutor and Defense Attorney.
c. Analyze the Grand Jury Process.

**Performance Standards**

*Competence will be demonstrated:*

- by completion of online quizzes and exams
- by completion of Internet assignments
- by participation of in-class and small group discussions
- by completion of assigned activities
- by an in-class comprehensive final exam

**Criteria - Performance will be satisfactory when:**

- learner discusses the pre-trial process
- learner identifies the role of the prosecutor and defense attorney
- learner describes the Grand Jury Process
- learner discusses the plea bargain process

4. Discuss the sentencing and correctional procedure.

**Learning objectives**

*What you will learn as you master the competency:*

a. Describe the right at a trial.
b. Explain Right to Confrontation.
c. Describe a Habeas Corpus.
d. Explain constitutional rights during sentencing.
Performance Standards

Competence will be demonstrated:
- by completion of online quizzes and exams
- by completion of Internet assignments
- by participation of in-class and small group discussions
- by completion of assigned activities
- by an in-class comprehensive final exam

Criteria - Performance will be satisfactory when:
- learner describes the rights guaranteed at a trial
- learner explains the right to confrontation
- learner explains a Habeas Corpus
- learner explains constitutional rights during sentencing

5. Discuss the roles of Prosecutors, Grand Juries and Defense Attorneys.

Learning objectives
What you will learn as you master the competency:

a. Describe the role of the prosecutor, what prosecutorial discretion is, and the issues surrounding prosecutorial misconduct.
b. Explain the purposes, functions, and powers of the grand jury.
c. Describe the development of the right to counsel.
d. Explain the courtroom work group and its functions.

Performance Standards

Competence will be demonstrated:
- by completion of online quizzes and exams
- by completion of Internet assignments
- by participation of in-class and small group discussions
- by completion of assigned activities
- by an in-class comprehensive final exam

Criteria - Performance will be satisfactory when:
- learner describes what role the prosecutor plays in the classroom, what discretion the prosecutor may have, and how prosecutorial misconduct is dealt with
- learner explains what function and role the grand jury plays in the criminal justice system
- learner describes how the right to counsel is employed during the different stages of the criminal process
- learner explains who is included in the courtroom work group and how they work together

6. Assess the role of plea-bargaining.

Learning objectives
What you will learn as you master the competency:

a. Identify what plea bargaining is.
b. Explain the history of plea bargaining and the arguments for and against its use.
c. Identify the plea bargaining process and the effects of plea-bargaining.
d. Identify the elements of a valid plea bargain.
e. Discuss how a plea bargain can be contested.

Performance Standards

Competence will be demonstrated:

- by completion of online quizzes and exams
- by completion of Internet assignments
- by participation of in-class and small group discussions
- by completion of assigned activities
- by an in-class comprehensive final exam

Criteria - Performance will be satisfactory when:

- learner discusses the elements which make up a plea bargain
- learner explains the use of plea bargains and the pros and cons associated with the use of plea bargains
- learner explains the procedures that are to be followed in the plea bargain process and who is affected by the plea bargain
- learner discusses which elements are required for a plea bargain to be valid and accepted by the court
- learner explains how and what may be necessary for a plea bargain to be contested

Types of Instruction

Classroom Discussion/Participative Lecture

Grading Information

Grading Rationale

Each instructor has the flexibility to develop evaluative procedures within the following parameters:

1. A Pre Test MUST be administered to EACH student. It will NOT count toward the student's grade.
2. The Final Examination/Post Test will be the same test. It will represent 20% of the final course grade.
3. Exams/Quizzes represent 20% of the final course grade.
4. The midterm exam represents 30% of the final course grade.
5. Other activities will represent 30% of the final course grade.
6. Extra credit points up to 3% can be awarded to students for completing the end-of-semester student course survey and providing evidence of doing so to their instructor.

Grading Scale

A  90% - 100%
B  80% - 89%
C  70% - 79%
D  60% - 69%
F  Below 60%